

jc891 U.S. PTO



12/19/00

PATENT

Customer Number 22,852

Attorney Docket Number: 3495.0068-10

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Prior Application:

Art Unit: 1648

Examiner: J. Parkin

jc944 U.S. PTO  
09/739289  
12/19/00

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/321,566 filed October 27, 1994 of MONTAGNIER et al. for IMMUNOLOGICAL REAGENTS AND DIAGNOSTIC METHODS FOR THE DETECTION OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 UTILIZING MULTIMERIC FORMS OF THE ENVELOPE PROTEINS GP300, P200, AND P90/80.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/321,566 as originally filed on October 27, 1994.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 1-4 and 6-20.
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

Basic Application Filing Fee					\$710	\$ 710.00
	Number of Claims		Basic	Extra Claims		
Total Claims	16	-	20	0	x \$18	
Independent Claims	2	-	3	0	x \$80	
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$270	
Subtotal						\$ 710.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 710.00

6. ☒ A check in the amount of \$710 to cover the filing fee is enclosed.

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## LAW OFFICES

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& DUNNER, L.L.P.  
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202-408-4000

7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☐ Amend the specification by inserting before the first line, the sentence:
9. ☒ New formal drawings are enclosed.
10. ☒ The prior application is assigned of record to: Institut Pasteur, 28 rue du Docteur Roux, 75724 Paris Cedex 15, France.
11. ☐ A verified statement claiming small entity status
- ☐ is enclosed or ☐ is on file in the prior application.
12. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. No. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No.

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13. ☒ The power appears in the original declaration of the prior application.
14. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
16. ☐ Recognize as associate attorney \_\_\_\_\_
17. ☒ \_\_\_\_\_

**FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.**

By: Sean Myers-Payne  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6

In re Application of: )  
)  
MONTAGNIER et al. )  
)  
Serial No.: Not Yet Assigned ) Group Art Unit: 1648  
)  
Filed: Concurrently Herewith ) Examiner: J. Parkin  
)  
For: IMMUNOLOGICAL REAGENTS )  
AND DIAGNOSTIC METHODS )  
FOR THE DETECTION OF  
HUMAN IMMUNODEFICIENCY  
VIRUS TYPE 2 UTILIZING  
MULTIMERIC FORMS OF THE  
ENVELOPE PROTEINS  
GP300, P200, AND P90/80

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUBMISSION OF FORMAL DRAWINGS**

Subject to the approval of the Examiner, please replace the informal drawings with the 6 sheets of formal drawings filed herewith (Figures 1-10). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Date: December 19, 2000

By:

*Sean Myers-Payne*

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